

### **REMARKS**

Claims 1-9 and 13-19 remain pending in the present application. Claims 10-12 and 20 have been cancelled. Claims 1 and 13 have been amended. Basis for the amendments can be found throughout the specification, claims and drawings as originally filed.

### **DRAWINGS**

Figures 1-2 should be designated by a legend such as – Prior Art – because only that which is old is illustrated. The drawings have been amended to overcome the objection. Withdrawal of the objection is respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-5, 9-10 and 13-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hughes (U.S. Pat. No. 6,122,334) in view of Kagawa (European Patent Application EP 0431 900 A2). Claims 6-8 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hughes (U.S. Pat. No. 6,122,334), as modified by Kagawa (European Patent Application EP 0431 900 A2) and in further view of Funderburk, et al. (U.S. Pat. No. 6,377,585). Claim 20 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 1 has been amended to include the limitations of Claim 12 which are similar to the limitations of Claim 20. Claim 12 originally depended from Claim 11 and both of these claims were rejected because the specification did not provide

enablement for the limitations of Claim 11. The limitations of only original Claim 12, which include the limitations which the Examiner indicated were the reasons for allowability for Claim 20, have been added to Claim 1.

Thus, Applicant believes Claim 1, as amended, patentably distinguishes over the art of record. Likewise, Claims 2-9, which ultimately depend from Claim 1, are also believed to patentably distinguish over the art of record. Claims 10-12 have been cancelled. Reconsideration of the rejection is respectfully requested.

Claim 20 depended from independent Claim 13. Claim 13 has been amended to include the limitations of Claim 20 and Claim 20 has been cancelled.

Thus, Applicant believes Claim 13, as amended, patentably distinguishes over the art of record. Likewise, Claims 14-19, which ultimately depend from Claim 13, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

#### **REJECTION UNDER 35 U.S.C. § 112**

Claims 11-12 are rejected under 35 U.S.C. § 112, first paragraph, because the specification, while being enabling for using the second filter, does not reasonably provide enablement for the filter type (N-1)/N as specified in Claim 11. Claims 11 and 12 have been cancelled. Reconsideration of the rejection is respectfully requested.

## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: January 27, 2005

By: 

Michael J. Schmidt, 34,007

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

MJS/pmg

### **AMENDMENTS TO THE DRAWINGS**

The attached "Replacement Sheets" of drawings include changes to Figures 1 and 2. The attached "Replacement Sheets," which include Figures 1 and 2, replace the original sheets including Figures 1 and 2.

The legend "Prior Art" has been added to Figures 1 and 2.

Attachment: Replacement Sheets